

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
W/S White Stone Road, 520 ft. \* ZONING COMMISSIONER  
SW of Dogwood Road \* OF BALTIMORE COUNTY  
2nd Election District \* Case Nos. 93-265-A  
2nd Councilmanic District \*  
Peter F. Maskey  
Petitioner \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commission as a Petition for Zoning Variance for that property located at 6741 White Stone Road in the Woodlawn section of Baltimore County. Within the Petition, the property owner seeks relief from Section 243.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 30 ft. in lieu of the required 50 ft. The relief is more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing was Peter Maskey of Mid Eastern Advertising, Inc., the corporate owner of the property. Also appearing was Will Holmes, who assisted in the preparation of the site plan, marked as Petitioners' Exhibit No. 1. There were no Protestants present.

Testimony and evidence presented was that the subject site is zoned M.L.-I.M. and is .62 acres in area. It is a triangularly shaped parcel which fronts Whitestone Road. To the rear, the property is adjacent to the Baltimore Beltway (I-695) near that thoroughfare's connection with Security Boulevard.

Mr. Maskey testified that the site is presently improved by an existing building which serves as an office and warehouse. Two businesses occupy the site. Mr. Maskey indicated that he has a legal interest in both businesses and operates same with his sons. One of the businesses

involved is Mid-Eastern Advertising, Inc., a firm which, quite obviously, is engaged in the advertising business. Also on site is a company which produces moldings, medallions and other architectural building products. Mr. Maskey testified that the businesses need additional room and a two story addition is, therefore, proposed for the rear of the building facing the Baltimore Beltway. He noted that this addition will be of similar character and architecture to the existing structure. Further, he observed that the addition will be on the rear portion of the property facing Interstate 695. Clearly, construction in this area of the lot will not create any adverse impact on the surrounding properties in that construction will be towards the heavily traveled I-695 corridor. Lastly, Mr. Maskey noted that a building located immediately next door to him, and owned by a company known as ATI, recently expanded in a similar manner. As the site plan shows, the ATI building also observes a 30 ft. setback and is entirely consistent with the proposed addition on the subject property.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Notwithstanding my decision to approve the requested variance, an observation is appropriate as to the Zoning Plans Advisory Committee com-

ments which were issued in this case. It is to be noted that a revised comment has been received from the Department of Environmental Protection and Resource Management (DEPRM). This revised comment, dated March 11, 1993, overrides the initial comment of September 14, 1992. The updated comment states that DEPRM has no objection to the variance, in that the footprint of the proposed addition will be no closer to a stream on site than the footprint of the existing building. Also, the Developers Engineering Division has reviewed the Petition and opined that the proposed building is subject to Division 2 of the Development Regulations. Thus, the property owner need address this issue.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of March, 1993 that a variance from Section 243.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 30 ft., in lieu of the required 50 ft., in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mm

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

March 23, 1993

Mr. Peter F. Maskey  
5741 White Stone Road  
Woodlawn, Maryland 21207

RE: Petition for Zoning Variance  
6741 White Stone Road  
Case No. 93-265-A

Dear Mr. Maskey:

Enclosed please find the decision rendered in the above captioned cases. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mm

ORDER RECEIVED FOR FILING  
Date 3/24/93  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 3/24/93  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 3/24/93  
By [Signature]

-2-

-3-



## Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6741 WHITE STONE ROAD which is presently zoned M.L.-I.M.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 243.3 TO PERMIT A REAR YARD SETBACK OF 30' IN LIEU OF THE REQUIRED 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.)  
STRICT COMPLIANCE WITH SECT. 243.3 OF THE ZONING REG. OF BALTO. CO. WOULD RESULT PRACTICAL DIFFICULTY FOR THE PROP. OWNER. OWNER WISHED TO BE GRANTED A VARIANCE FROM THE EXISTING SET BACK REQUIREMENT SO HE MAY CONSTRUCT AN ADDITION ONTO THE EXISTING BLDG. ADDITIONAL STORAGE SPACE/ HIGH CEILING CLEARANCE IS NEEDED. Property is to be posted and advertised as prescribed by Zoning Regulations. ANY PROP. WAREHOUSE WOULD, if or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to SATISFY be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. THE NEED.

Contract Purchaser/Lessor:  
(Type or Print Name)  
Signature  
Address  
City State Zip  
Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City State Zip  
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted:  
Woodlawn MD 21207  
City State Zip  
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted:  
Peter F. Maskey  
1917 Hillside Drive 410-994-7350  
Baltimore, MD 21207  
City State Zip  
ESTIMATED LENGTH OF HEARING (Indicate for Hearing)  
No following date Next Two Months  
ALL OTHERS  
RECEIVED BY 230 DATE 3/1/93

#### ZONING DESCRIPTION

Beginning at a point in the right of way of White Stone Road which is sixty feet (60') wide at the distance of five hundred and twenty feet (520') southwesterly from the centerline of the nearest improved intersecting street, known as Dogwood Road, of which the paving measures twenty feet (20') wide. Thence with the following courses and distances:

- (1) N 05 degrees 59 minutes 57 seconds W 36.73 feet
- (2) S 78 degrees 00 minutes 05 seconds W 204.62 feet
- (3) S 00 degrees 06 minutes 43 seconds E 228.23 feet
- (4) N 40 degrees 59 minutes 19 seconds E 310.32 feet to the place of beginning as recorded in Deed Liber 7146, Folio 361 and Deed Liber 7151, Folio 534.

Containing 0.62 acres or 27,007.2 square feet, more or less.

Being known as No. 6741 White Stone Road, located in the Second Election District of Baltimore County.

EDWIN J. KIRBY, JR. R.S. #5481



24  
2/1/93

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 2nd  
Posted for: Variance  
Petitioner: Peter F. Maskey  
Location of property: W/S White Stone Rd (6741) SW of Dogwood Rd  
Location of Sign: Loc. 92 - 102 away from property of P. F. Maskey  
Remarks:  
Posted by: [Signature]  
Number of Signs: 1  
Date of Posting: 3/1/93  
Date of return: 3/1/93

#### CERTIFICATE OF PUBLICATION

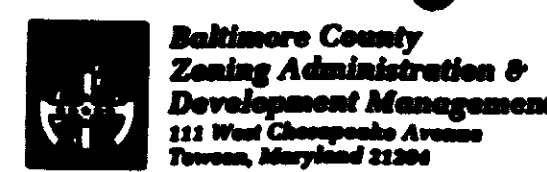
TOWSON, MD., 2/18, 1993  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/18, 1993

THE JEFFERSONIAN,

S. Zate Olin  
Publisher

60.27

93-265-A  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
DATE 3/1/93  
AMOUNT \$ 250.00  
RECEIVED FROM: MID-EASTERN ADVERTISING  
FOR: VARIANCE  
04AD40053MICRNC \$250.00  
VALIDATION OR SIGNATURE OF CARRIER  
2/1/93

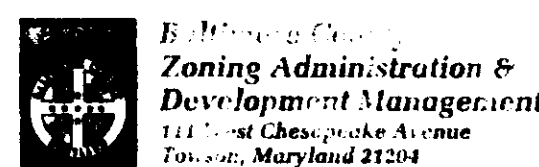


receipt

2/08/93  
PUBLIC HEARING FEES QTY PRICE  
020 -ZONING VARIANCE (OTHER) 1 X \$250.00  
TOTAL: \$250.00  
LAST NAME OF OWNER: WASKEY

Please Make Checks Payable To: Baltimore County

Cashier Validation



receipt

93-265  
H/D-3-11-93  
NAME OF OWNER: WASKEY  
(MID-EASTERN ADVERTISING)

Account: R-001-6150

Number

DEB07#0019N10HRL \$60.27  
BA D0002114PM03-05-93

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 2-19-93

Peter F. Waskey  
6741 White Stone Road  
Woodlawn, Maryland 21207

RE: CASE NUMBER: 93-265-A (Item 277)  
6741 White Stone Road, 520' SW Dogwood Road  
6741 White Stone Road  
2nd Election District - 2nd Councilmanic  
Petitioner(s): Peter F. Waskey  
HEARING: THURSDAY, MARCH 11, 1993 at 2:00 p.m. in Rm. 118, Old Courthouse

Dear Petitioner(s):

Please be advised that \$ 60.27 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

ARNOLD JABLON  
DIRECTOR

Printed on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

FEBRUARY 10, 1993

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-265-A (Item 277)  
6741 White Stone Road, 520' SW Dogwood Road  
6741 White Stone Road  
2nd Election District - 2nd Councilmanic  
Petitioner(s): Peter F. Waskey  
HEARING: THURSDAY, MARCH 11, 1993 at 2:00 p.m. in Rm. 118, Old Courthouse  
Variance to permit a rear yard setback of 30 feet in lieu of the required 50 feet.

ARNOLD JABLON  
DIRECTOR

cc: Peter F. Waskey

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

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Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

March 3, 1993

Mr. Peter F. Waskey  
1917 Hillside Drive  
Baltimore, MD 21207

RE: Case No. 93-265-A, Item No. 277  
Petitioner: Peter F. Waskey  
Petition for Variance

Dear Mr. Waskey:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on February 1, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

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BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 22, 1993  
Zoning Administration and Development Management  
FROM: Robert W. Bowling, P.E., Chief  
Developers Engineering Division  
RE: Zoning Advisory Committee Meeting  
for February 22, 1993  
Item No. 277

The Developers Engineering Division has reviewed the subject zoning item. The proposed building is subject to Division 2 of the Development Regulations.

RWB:DAK:s



O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

2-12-93

Mr. John Winarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No: + 877 (LEO)

Dear Mr. Winarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small  
John Conestable, Chief  
Engineering Access Permits  
Division

My telephone number is 410-333-1350

Telephone for Impaired Hearing or Speech  
800-7866 Baltimore Metro - 888-8451 D.C. Metro - 1-800-405-5882 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-6717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 18, 1993  
Zoning Administration and  
Development Management  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
Item Nos. 265, 270, 271, 272, 273, 274, 277, and 278.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Cheryl K. Kiser

PK/JL:lw

265.ZAC/ZAC1

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: Feb. 18, 1993

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
FROM: Rahee J. Famili  
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: Feb. 16, 1993

There are no comments on item numbers 265, 266, 269,  
270, 271, 272, 273, 274, 277 and 278.

Rahee J. Famili  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management  
DATE: February 23, 1993

FROM: J. Lawrence Pilson  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #277  
Waskey (Peter), 6741 White Stone Road  
Zoning Advisory Committee Meeting of February 16, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Please see attached correspondence.

JLP:rm  
Enclosure

WHTSTONE/GWRMP

Baltimore County Government  
Department of Environmental Protection  
and Resource Management

401 Bosley Avenue  
Towson, MD 21204

(410) 887-3733

September 14, 1992

Mr. Peter Waskey  
Mid-Eastern Advertising  
6741 Whitestone Road  
Baltimore, Maryland 21207

Re: 6741 Whitestone Road  
Preliminary Assessment

Dear Mr. Waskey:

Staff from the Environmental Impact Review Division of this Department have conducted a preliminary assessment of the above-referenced project on September 4, 1992. This assessment determined that a tributary to Dead Run, a Use IV stream flows within 10 feet of this property. Hydrophytic (wetland) vegetation is associated with this stream channel. Additionally, a 100-year floodplain has been calculated for this stream.

In accordance with current Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains, a Forest Buffer Easement must be applied to this property. The Forest Buffer Easement for this property is measured 100 feet from the stream centerline. However, this Forest Buffer Easement would include most of the property and would encompass part of the existing building. Therefore, in order for the proposed building addition to be considered, you must submit an application for a variance from the above-referenced Regulations. This application and instructions are enclosed for your use.

If you have any questions regarding this correspondence, please contact Ms. Valerie Rychwalski at 887-3980.

Very truly yours,

*Rocky O. Powell*

Rocky O. Powell  
Division Director  
Environmental Impact Review Division

ROP:RSP

Enclosures

WASKEY/TXTSBB

Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21286-5900

FEBRUARY 19, 1993

(410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: PETER F. WASKEY

Location: 6741 WHITE STONE ROAD

Item No.: 4277 (LRO) Zoning Agenda: FEBRUARY 16, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Capt. J. J. Pfeiffer*  
Planning Group  
Special Inspection Division

JP/KEK

93-265-A 3-11-93

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Leroy (Jim) Ogle  
ZADM  
DATE: March 11, 1993

FROM: Steven Stewart

SUBJECT: Mid-Eastern Advertising  
Zoning Item #277

Please amend this Department's comments regarding the above-referenced zoning petition to "No comment", as the footprint of the proposed addition will be no closer to the stream than the footprint of the existing building.

If you have any questions regarding this correspondence, please contact Ms. Valerie Rychwalski at x3980.

*Steven L. Stewart*  
Steven L. Stewart, Program Supervisor  
Environmental Impact Review

SLS:VCR:trm

cc: Mr. Peter Waskey  
Mid-Eastern Advertising  
6741 Whitestone Road  
Baltimore, Maryland 21207

MIDEAST/TXTTMM

RECEIVED  
MAR 12 1993

ZONING OFFICE

RECEIVED  
MAR 16 1993  
ZONING COMMISSIONER

TRANSMITTAL FORM

DATE: February 1, 1993

TO: Baltimore County Office of Zoning Administration and Development Management

FROM: Edwin J. Kirby and Associates  
800 Greenspring Valley Road  
Lutherville, MD 21093

RE: Complete package to apply for a Zoning Variance for a property known as No. 6741 White Stone Road.

OWNER: Mid-Eastern Advertising, Inc.  
Peter Waskey  
1917 Hillside Avenue  
Woodlawn, MD 21207

work: 410-944-7330  
home: 410-944-7308

CONTACT: Will Holmes  
c/o Bankers Title Company  
work: 410-828-5900

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

*Mid Eastern Advertising*  
*Robert Waskey*  
*Will Holmes*

*6741 Whitestone Rd*  
*Baltimore MD 21207*  
*1100 16th Vista Avenue Balto. 21207*



